

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER STITES**  
**Council Bill No. 10**  
**Ordinance No. 1487**  
Series of 2011

**TITLE: AN ORDINANCE APPROVING A PLANNED COMMERCIAL DEVELOPMENT (PCD) SPECIFIC OUTLINE DEVELOPMENT PLAN ON PROPERTY LOCATED AT 4000 CABELA DRIVE AND 4105 YOUNGFIELD SERVICE ROAD MORE PARTICULARLY DESCRIBED AS LOTS 1.1, 2.1, 2.2, 2.3, 2.4, 3, 5.1, 5.2 AND 5.3 WITHIN THE CLEAR CREEK CROSSING CONCEPT OUTLINE DEVELOPMENT PLAN (CASE NO. WZ-11-02/CLEAR CREEK CROSSING)**

**WHEREAS**, property located at 4105 Youngfield was annexed into the City pursuant to Ordinance No. 08-11; and

**WHEREAS**, the same property was rezoned to Planned Commercial Development (PCD) pursuant to Ordinance No. 09-11; and,

**WHEREAS**, a Planned Commercial Development Concept Outline Development Plan was approved for property located at 4000 Cabela Drive which incorporates property located at 4105 Youngfield Service Road; and

**WHEREAS**, the next step of the planned development process is a Specific Outline Development Plan (ODP); and

**WHEREAS**, a land use application has been filed for a Planned Commercial Development Specific Outline Development plan for property located at 4000 Cabela Drive and 4105 Youngfield Service Road for various Lots within the Clear Creek Crossing Concept Outline Development Plan.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO THAT:**

**Section 1.** Upon application by Cabela's, Coors and Jefferson County, approval of a Planned Commercial Development (PCD) specific Outline Development Plan for property located at 4000 Cabela Drive and 4105 Youngfield Service Road, and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, a PCD specific Outline Development Plan is hereby approved for the following described property:

LOTS 1.1, 2.1, 2.2, 2.3, 2.4, 3, 5.1, 5.2 and 5.3 within the Clear Creek Crossing Concept Outline Development Plan described as follow:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, THE SOUTHWEST QUARTER OF SECTION 20, THE NORTHWEST QUARTER OF SECTION 29 AND THE NORTHEAST QUARTER

OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 29; THENCE N01°01'46"W A DISTANCE OF 997.38 FEET TO A POINT ON THE SOUTHERLY LINE OF THE CABELAS / COORS SUBDIVISION FILING NO. 1, AMENDED, AS RECORDED AT RECEPTION NUMBER 2006148911, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY AND WESTERLY LINE OF SAID CABELAS / COORS SUBDIVISION FILING NO. 1, AMENDED THE FOLLOWING 14 COURSES: 1) CONTINUING N01°01'46"W A DISTANCE OF 323.41 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; 2) THENCE S89°10'06"W ALONG THE SOUTHERLY LINE OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1315.31 FEET TO THE SOUTHWEST CORNER OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; 3) THENCE N00°55'43"W ALONG THE WESTERLY LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1320.36 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; 4) THENCE N00°07'26"W ALONG THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19 A DISTANCE OF 913.46 FEET; 5) THENCE S89°07'35"W A DISTANCE OF 57.62 FEET; 6) THENCE 212.18 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 791.19 FEET, A CENTRAL ANGLE OF 15°21'56" AND A CHORD WHICH BEARS N50°55'44"W A DISTANCE OF 211.55 FEET; 7) THENCE 342.40 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1529.61 FEET, A CENTRAL ANGLE OF 12°49'33" AND A CHORD WHICH BEARS N75°38'47"W A DISTANCE OF 341.69 FEET TO A POINT OF COMPOUND CURVATURE; 8) THENCE 179.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1022.23 FEET, A CENTRAL ANGLE OF 10°05'16" AND A CHORD WHICH BEARS N87°06'12"W A DISTANCE OF 179.75 FEET; 9) THENCE S87°51'10"W A DISTANCE OF 175.73 FEET; 10) THENCE N00°23'08"W A DISTANCE OF 174.56 FEET; 11) THENCE S89°07'35"W A DISTANCE OF 410.63 FEET TO A POINT ON THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; 12) THENCE N00°23'08"W ALONG SAID WESTERLY LINE A DISTANCE OF 171.61 FEET; 13) THENCE 467.85 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 505.40 FEET, A CENTRAL ANGLE OF 53°02'20" AND A CHORD WHICH BEARS N28°13'13"E A DISTANCE OF 451.32 FEET; 14) THENCE N01°42'03"E A DISTANCE OF 141.51 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 58; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY 58 THE FOLLOWING 8 COURSES: 1) N87°01'33"E A DISTANCE OF 1968.69 FEET; 2) THENCE S81°54'27"E A DISTANCE OF 338.62 FEET; 3) THENCE S33°53'52"E

A DISTANCE OF 103.60 FEET; 4) THENCE S87°08'19"E A DISTANCE OF 51.00 FEET; 5) THENCE N69°45'24"E A DISTANCE OF 13.67 FEET TO A POINT ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; 6) THENCE N69°45'14"E A DISTANCE OF 383.88 FEET; 7) THENCE S87°08'21"E A DISTANCE OF 142.63 FEET; 8) THENCE 592.11 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 577.60 FEET, A CENTRAL ANGLE OF 58°44'05" AND A CHORD WHICH BEARS S57°08'25"E A DISTANCE OF 566.52 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 70; THENCE S00°42'34"E ALONG SAID WESTERLY RIGHT-OF-WAY A DISTANCE OF 765.67 FEET TO THE NORTHEAST CORNER OF THE CABELAS / COORS SUBDIVISION FILING NO. 1, AMENDED; THENCE ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID SUBDIVISION THE FOLLOWING 5 COURSES: 1) S00°41'49"E A DISTANCE OF 1005.12 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; 2) THENCE S00°45'44"E TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 A DISTANCE OF 1321.80 FEET; 3) THENCE S00°43'38"E A DISTANCE OF 241.50 FEET; 4) THENCE S06°23'52"W A DISTANCE OF 82.23 FEET; 5) THENCE S89°24'56"W A DISTANCE OF 986.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 55.61 ACRES MORE OR LESS.

**Section 2. Vested Property Rights.** Approval of this zoning and specific ODP approval does not create a vested property right. Vested property rights may only arise and accrue pursuant to the provisions of Section 26-121 of the Code of Laws of the City of Wheat Ridge.

**Section 3. Safety Clause.** The City of Wheat Ridge hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

**Section 4. Severability.** If any clause, sentence, paragraph, or part of this Zoning Code or the application thereof to any person or circumstances shall for any reason be adjusted by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

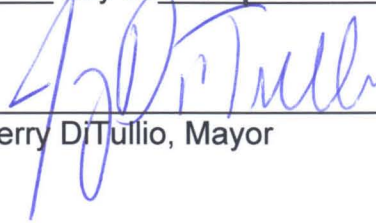
**Section 5. Supersession Clause.** If any provision, requirements or standard established by this Ordinance is found to conflict with similar provisions, requirements or standards found elsewhere in the Code of Laws of the City of Wheat Ridge, which are in existence as of the date of adoption of this Ordinance, the provisions, requirements and standards here shall supersede and prevail.

**Section 6.** This Ordinance shall take effect 15 days after final publication.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 6 to 0 on this 14th day of March, 2011, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for April 25, 2011, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

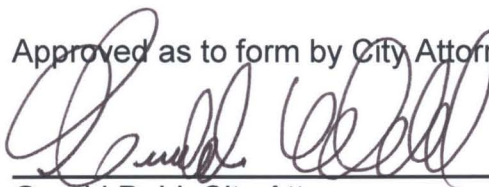
**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 7 to 0, this 25<sup>th</sup> day of April, 2011.

SIGNED by the Mayor on this 26<sup>th</sup> day of April, 2011.

  
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Jerry DiTullio, Mayor

ATTEST:

  
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Michael Snow, City Clerk

Approved as to form by City Attorney  
  
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Gerald Dahl, City Attorney

1<sup>st</sup> publication: March 17, 2011  
2<sup>nd</sup> publication: April 28, 2011  
Wheat Ridge Transcript  
Effective Date: May 13, 2011